

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-4, 7-10, and 12-15 remain pending. Claims 5, 6, and 11 have been cancelled. Claims 1, 13, 14, and 15 have been amended to incorporate subject matter from dependent claims including cancelled claims 5, 6, and 11.

The rejection of claim 12 under 35 U.S.C. 112, second paragraph, as being incomplete is believed overcome in view of the above amendments. Withdrawal of the rejection is respectfully requested.

The rejection of claims 1 and 13-15 under 35 U.S.C. 102(e) as being anticipated by Burt et al. (U.S. Patent 6,999,662, hereinafter referred to as Burt) is believed overcome in view of the foregoing amendments to claims 1 and 13-15. A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. The Examiner has failed to identify all elements of claim 1 as anticipated by the Burt reference. Burt, either singly or in combination with one or both of Yagi or Takiguchi fails to include all elements of claim 1. At a minimum, Burt fails to describe correlating determined regions of interest between two individual frames as claimed in claim 1. Takiguchi does not overcome the deficiency as Takiguchi fails to determine the regions of interest based on edge detection as claimed in claim 1. Withdrawal of the rejection is respectfully requested.

The rejection of claims 2-4 and 7 under 35 U.S.C. 103(a) as being unpatentable over Burt is believed overcome in view of the foregoing amendments to claim 1 from which claims 8-10 depend. Further, claims 2-4 and 7 are patentable over the applied references for at least the reasons advanced above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

The rejection of claims 5, 6, and 11 is moot in view of the cancellation of claims 5, 6, and 11.

The rejection of claims 8-10 under 35 U.S.C. 103(a) as being unpatentable over Burt in view of Yagi et al. (U.S. Patent 6,268, 884) is believed overcome in view of the foregoing amendments to claim 1 from which claims 8-10 depend. Further, claims 8-10 are patentable over the applied references for at least the reasons advanced above with respect to claim 1.

Withdrawal of the rejection is respectfully requested.

With specific reference to claim 10, the Examiner is requested to provide clarification regarding the statement that "it would be implied that in the process of creating this line the pixel values are changed." Official Action at page 7, paragraph 19. The Examiner appears to be asserting inherency without satisfying the test for inherency or withdraw the rejection.

In order to rely upon a theory of inherency, the Examiner is required to provide a factual basis and/or technical reasoning reasonably supporting the determination that the allegedly inherent characteristic necessarily flows from the prior art teaching. See Ex parte Levy, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). The Examiner is requested to support the assertion of inherency or withdraw the rejection.

The rejection of claim 12 under 35 U.S.C. 103(a) as being unpatentable over Burt in view of Takiguchi et al. (U.S. Patent 6,549,681) is believed overcome in view of the foregoing amendments to claim 1 from which claim 12 depends and the amendment to claim 12. Further, claim 12 is patentable over the applied references for at least the reasons advanced above with respect to claim 1. Withdrawal of the rejection is respectfully requested.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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